

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6993

BILL NUMBER: SB 155

NOTE PREPARED: Feb 16, 2007

BILL AMENDED: Feb 15, 2007

SUBJECT: Underground Storage Tanks and Excess Liability Trust Fund.

FIRST AUTHOR: Sen. Gard

FIRST SPONSOR:

BILL STATUS: 2nd Reading - 1st House

FUNDS AFFECTED: **GENERAL**
 X DEDICATED
 FEDERAL

IMPACT: State

Summary of Legislation: (Amended) This bill sets standards for the installation of underground storage tanks used for certain alcohol-blended fuels. With respect to the prohibition against installation of certain underground storage tanks (USTs) before the effective date of certain rules, the bill adds to the criteria for exception from the prohibition the requirement that all newly installed or replaced piping connected to the tank meets the secondary containment requirements adopted by the Solid Waste Management Board. With respect to USTs that contain alcohol-blended fuels composed of greater than 15% alcohol, the bill excepts the USTs from that prohibition if they meet certain standards, and provides that the USTs are subject to certain release response and detection requirements. The bill adds effective date provisions. It adjusts limitations on payments from the Excess Liability Trust Fund.

Effective Date: (Amended) Upon passage; July 1, 2007.

Explanation of State Expenditures: (Revised) If the underground petroleum storage tank that is involved in a claim is in compliance and is not double-walled with piping that has secondary containment, the amount that can be paid from the Excess Liability Trust Fund (ELTF) is reduced from \$30,000 to \$25,000. If the underground petroleum storage tank involved in the claim is in compliance before the date the tank is required to be in compliance and is double-walled with piping that has secondary containment, the amount of the payment is reduced from \$25,000 to \$20,000. The above provisions will reduce expenditures from the ELTF. The number and nature of future claims is indeterminable. As of February 15, 2007, the ELTF had a free balance of \$64,000.

Background— IC 13-23-8 provides that IDEM must use money in the ELTF to pay certain costs involved with corrective action taken to eliminate or mitigate a release of petroleum from an underground

storage tank.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: IDEM

Local Agencies Affected:

Information Sources: Auditor's Data.

Fiscal Analyst: Bernadette Bartlett, 317-232-9586.